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Dated: October 5, 2007

Signature: Scott E. Charney

(Scott E. Charney)

Docket No.: BAYER 3.0-002 CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Blatt et al.

Application No.: 10/816,230

Group Art Unit: 1641

Filed: March 31, 2004

Examiner: C. L. Chin

For: DRY REAGENT STRIP CONFIGURATION,
COMPOSITION AND METHOD FOR
MULTIPLE ANALYTE DETERMINATION

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Office Action mailed August 10, 2007, setting forth a Restriction Requirement in the above-identified application. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

I. Claims 2-25, drawn to a dry reagent lateral flow strip assay device, classified in class 435, subclass 287.1.

II. Claim 26, drawn to a dry reagent lateral flow strip assay device, classified in class 435, subclass 287.2.

III. Claims 27-34, drawn to a diagnostic device, classified in class 422, subclass 58.

IV. Claims 35-37, drawn to a method for detecting two or more analytes, classified in class 436, subclass 514.

V. Claims 38, drawn to a system for detecting two or more analytes, classified in class 422, subclass 56.

In response, Applicants hereby elect the invention of Group I, corresponding to claims 2-25. Applicants reserve the right to file a divisional application corresponding to the non-elected claims.

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: October 5, 2007

Respectfully submitted,

By 

Scott E. Charney

Registration No.: 51,548
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090

(908) 654-5000
Attorney for Applicants